

Literature review

Qualitative research organized around Priority Areas

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Mental Health Services

Between 60 and 70 percent of youth involved with the justice system have been diagnosed with a mental health disorder (Skowrya & Coccozza, 2006 in Calleja et al, 2016). According to the research, psychological factors throughout the developmental stages of adolescence are correlated with antisocial behavior and criminal activity (NCJRS, 2016).

Existing needs (Llamas & Chandler, 2017; Nissen, 2006 in Llamas & Chandler, 2017)

- There is a need to overcome the blocks to service utilization
- To measure program effectiveness, there is a need for policies based on empirical research
- There is a need for policies to generate uniformity about services within juvenile facilities
- There is a need to overcome the stigmatization around mental health issues

Potential reform areas (Models for Change, 2017a; OJJDP, 2010)

- Addressing collaborative approaches to the youth's mental health needs of youth to avoid (unnecessary) JJS involvement
- Addressing general improvement of the mental health services)
- Addressing the standards for the qualifications of mental health providers

Recommendations to Treatment Providers (Lipsey et al, 2010)

- To recognize the importance of quality research (for youth, families, and communities)
- To target and serve high risk youth by using the appropriate and approved JJ risk assessment tools
- To clearly articulate (via treatment service manuals) the clinical protocols and procedures that are used by clinicians

Rural Areas Juvenile Programs

About 20 percent of the US residents live in rural areas (a quarter of the Native American and Alaska native population live in the rural areas; Hispanic population is increasingly populating rural areas) (The Justice Innovation Center, 2016). Certain facets rural juvenile recidivism correlate with the juvenile crime in rural areas (i.e., housing instability, ethnic heterogeneity, etc.), while others show little or no correlation with the juvenile crime (i.e., poverty rate, unemployment, etc.) (OJJDP, 2015).

Factors that impact Rural Youth (Family Justice, 2009; The Justice Innovation Center, 2016)

- Housing
- Race and ethnicity
- Family dynamics
- Income
- Homelessness
- Re-entry issues
- Access to health and social services
- Community belonging
- Access to transportation

- Access to employment
- Access to mental health and substance-abuse programs

Challenges (The Justice Innovation Center, 2016)

- Geography
- Access to funding
- Access to social service provision
- Access to personnel
- Access to communications and information-technology management
- Data-Sharing and Interoperability
- Crime-related issues
- Access to adequate infrastructure
- Legal and policy challenges

Potential goals and areas of priority (Family Justice, 2009; The Justice Innovation Center, 2016)

- Decreasing youth recidivism
- Decreasing youth homelessness
- Supporting family health and well-being
- Increasing public safety
- Generating cost-effective solutions
- Supporting collaboration and partnership
- Improving inter-agency information sharing
- Assisting with the procurement and management of information-technology systems
- Assisting with grant applications

Gender-Specific Services

Girls and young women make up about 30 percent of arrested juveniles – the number that increased in the last 20 years. Most often, these are the girls of color that grew up in poverty and are victims of abuse, trauma and continuous racial bias. In addition, LGBTQI youth also experiences high systemic inequalities (OJJDP, n.d.).

Focus areas for states, tribes and local communities (OJJDP, n.d.)

- Prohibiting girl placement (girls that are status offenders) in the JJS
- Reducing arrest and detention for status offences, probation violation, prostitution-related charges, etc.
- Improving collaboration among state and national juvenile advocates, agencies and coalitions
- Implementing the PREA on state level
- Developing alternatives to detention and incarceration
- Applying a developmental approach (with communal and family support)
- Identifying the needs of the girls who have interacted with child welfare and/or the juvenile justice system
- Supporting gender- and culture-sensitive programs

Potential elements as part of the reforms (Watson & Edelman, 2012)

- Developing quality research around needs, service-availability, and gender-responsiveness of jurisdictions
- Promoting public education through campaigns
- Strategic planning
- Supporting stakeholder-inclusion
- Improving legislation
- Training staff

- Developing community-based prevention programs
- Measuring and evaluating outcomes
- Providing technical assistance
- Promoting sustainability

Federal policy recommendations in support of state and local reforms (Watson & Edelman, 2012)

- Investing in research
- Investing in assessment and data collection tools
- Encouraging state advisory groups to support girl programs and reforms
- Supporting interagency working groups on federal and state levels
- Eliminating Valid Court Order Exception for status offenders
- Banning handcuffing for pregnant girls
- Monitoring compliance with the PREA
- Encouraging the development and progress of national standards for gender-responsive programming

Aftercare Services

Challenges to re-entry (Calleja et al, 2016)

- Returning to the unstable environment (home and community) that lacks opportunities
- Lack of access to education
- Lack of access to employment
- Lack of access to housing
- Lack of access to quality mental health

Reform areas (Models for Change, 2017a; NJJN, 2016)

- Aftercare
- Post-release services, supervision and supports
- Education
- Interagency cooperation
- Community cooperation
- Family involvement
- Speedy and appropriate placement
- Improved transfer of records
- Improved school reenrollment and drop-out reengagement programs

Other recommendations (Llamas & Chandler, 2017; Grisso, 2005 in Llamas & Chandler, 2017; Cavendish, 2014 in Llamas & Chandler, 2017)

- Developing issue-specific and individual rehabilitation plans
- Supporting reintegration into the community
- Supporting follow-ups
- Offering transitional support
- Supporting parental support
- Supporting state investment into rehabilitation

Alternatives to Detention and Placement

According to the research, placing juveniles in community settings with supporting services has a greater impact on youth rehabilitation than detention and confinement. Confinement has a strong impact on youth's mental state, academic performance, employment, etc. (OJJDP 2014; Holman and Ziedenberg 2007 in OJJDP 2014).

The Impact of Detention (Holman, B. & Ziedenberg, 2007)

- Potentially increases recidivism
- Negatively impacts youth's behavior and increases their chance of re-offending
- Pulls youth deeper into the JJS
- Potentially interrupt the natural process of maturing out of delinquency
- Negatively impacts youth's mental health
- Negatively impacts mentally ill youth
- Negatively impacts the special needs youth's chances to return to school
- Negatively impacts youth's chances to find employment
- Detention is more expensive than alternatives to detention

The alternatives to detention/confinement (OJJDP, 2014; Owen, Wettach & Hoffman, 2015)

- Community based programs
- Community-school partnerships
- Home confinement
- Day (or evening) treatment
- Shelter care
- Group homes
- Intensive supervision programs
- Specialized foster care
- Positive behavior intervention and support
- Safe and responsive school environment
- Limiting the role of school resource officers
- Assessment
- Restorative justice
- Substance abuse interventions
- Alternative schools
- Reducing the use of suspension for discipline

Graduated and Appropriate Sanctions

Graduated responses is a "structured system of graduated incentives and sanctions to respond to youth behavior" (Center for Children's Law and Policy, 2016, p. 8). Research shows that combining sanctions and progressive incentives can help reduce racial and ethnic disparities (Njnn, n.d.). A system of graduated responses should be: certain, immediate, proportionate, fair and tailored to individual youth (Center for Children's Law and Policy, 2016).

The graduated sanctions continuum consists of (Louisiana District Attorneys Association, 2012)

- Immediate (Diversion)
- Intermediate sanctions
- Secure care
- Reentry

Community alternatives to secure care (Louisiana District Attorneys Association, 2012)

- Home detention
- Employment projects
- Evening reporting centers
- Electronic monitoring
- Intensive supervision

Steps involved in creating a graduated responses system (Njjn, n.d.)

- Defining the purpose of implementing a graduated responses practice
- Gathering data on youth under supervision/youth sanctioned for violations (of probation/other court orders)
- Interviewing to gain an understand of youth supervision in the community.
- Forming a committee to develop the graduated responses system
- Thinking of behaviors and skills to promote among youth under supervision
- Identifying reward incentives
- Identifying negative behaviors (low-, medium-, or high-severity)
- Identifying possible sanctions for specific behaviors
- Developing a system to the system effectiveness
- Training staff
- Gathering data and evaluating implementation

Disproportionate Minority Contact (DMC)

DMC refers to prominence of contact with the JJS by minority groups in comparison to the rates of contact by white juveniles. According to data, youth of color are more likely to be arrested and later go deeper in the JJS (Puzzanchera and Hockenberry 2013 in OJJDP 2014). There exist 2 theoretical frameworks of looking at DMC:

Differential offending (OJJDP, 2014) - Youths of color commit more crimes due to the context (socio-economic disadvantages, family context, greater exposure to violence, etc.)

Differential treatment (OJJDP, 2014) - JJS treats youth of color differently than white youth (bias theory)

Contributing factors (OJJDP, 2014)

- Differential behavior
- Indirect/environmental effects (socio-economic status, quality and level of education, location, etc.)
- Geography (harsher laws)
- Legislation, policies, and legal factors

Strategies for reducing DMC (OJJDP 2014):

- Direct services that address the risks and needs
- Training and technical assistance (juvenile justice personnel and law enforcement)
- Systemic change (OJJDP, 2009)

Guidelines for developing DMC Intervention Plan (OJJDP, 2009)

- Designing a comprehensive approach
- Focusing on critical areas
- Choosing community-friendly interventions
- Using evidence-based strategies

Diversion

Diversion refers to “channeling youths away from the juvenile justice system and into an alternative program before formal court involvement” (Models of Change 2011, p. 1). Research shows that the formal system processing may lead to higher rates of re-offending (Models of Change 2011).

Diversion programs are designed to (OJJDP 2017)

- Reduce recidivism
- Reduce stigma
- Reduce coercive entry into the system
- Provide services
- Offer alternative community services
- Reduce the risk of criminal socialization
- Instill discipline
- Improve school engagement
- Reduce the cost of formal court proceedings

Six components of diversion programs (why diversion programs might vary) (OJJDP 2017)

- Points of contact
- Setting
- Structure
- Target population
- Types of intervention of delivered services
- Formal and informal processing

Juvenile Justice System Improvement

Restorative justice is an approach based on the belief that delinquency impacts victims, communities, and delinquent youth themselves. By following the approach, youth are held accountable for their actions and are guided through a process to restore and amends for the loss and damage caused (OJJDP 2017).

Recommendations (Lipsey et al, 2010)

- Legislating evidence-based programming for youth services
- Promoting pilot programs and providing limited funding, for developing evidence-based practices
- Building a far-reaching administrative model and increasing system capacity for:
 1. Improved matching of specific treatment needs with effective services
 2. Targeting higher risk offenders
 3. Improving prevention, court, and correctional programs.
- Improving cross-system coordination and collaboration
- Addressing excessive confinement
- Supporting evidence-based programming
- Bringing together agencies and individuals that are part of the JJS to work on the system reform
- Working with treatment providers

School Programs

The U.S. Departments of Justice and Education suggested five guiding principles for quality education programs in JDCs (Benner et al, 2016): Positive climate, community engagement, effective classroom practices, academic engagement, and coordinated transition supports

Barriers to education the JJS-involved youth (Juveniles for Justice, 2015; National Juvenile Justice Network, 2016)

- A lack of adequate work in the JJ facilities
- A lack of adequate education in the JJ facilities (resources, staff, teachers)
- Improper use of discipline in in the JJ facilities
- Difficulties around transitioning back to school and issues around alternative schools
- Difficulties around curricula alignment with state standards and transfer of the correctional educational records to the home schools after release

Recommendations

- Performing student assessments (Juveniles for Justice, 2015; Benner et al, 2016)
- Aligning curriculum with state standards
- Ensuring reenrollment
- Arranging formal hearings before placement in alternative schools
- Providing diverse educational options
- Providing access to higher education credits
- Providing classroom resources and work technology
- Recruiting qualified teachers
- Establishing rules and responses to classroom misbehavior
- Increasing data collection on discipline
- Promoting restorative practices
- Arranging transition meetings
- Promoting professional development
- Tracking recidivism

Suggested reforms (NJN, 2016)

- Facility reforms
 - Providing a safe climate that prioritizes education in facilities
 - Providing funding to support education for youth in long-term secure care facilities
 - Recruiting qualified education staff
 - Supporting college readiness programs
 - Supporting transition from child-serving systems into communities.
- Re-entry reforms
 - Supporting inter-agency and community cooperation
 - Supporting youth and family involvement
 - Supporting speedy placement
 - Improving record transfer
 - Improving school reenrollment practices

Afterschool Programs

The afterschool programs and the programs for youth with academic challenges. These youths are more likely to struggle academically, struggle with learning disabilities and drop out of school (Calleja et al, 2016; Leone & Weinberg, 2010 in Calleja et al, 2016; Llamas & Chandler, 2017):

Effective afterschool programs (OJJDP, 2010; Durlak and Weissberg 2007 in OJJDP, 2010)

- Have an emphasis on social skills
- Target specific skills
- Are more structured
- Are smaller in size and with options for one-on-one training/tutoring
- Offer qualified staff
- Have low attrition
- Use evidence-based approaches
- Use active forms of learning

Community-Based Programs and Services

Community-based alternatives are the local alternatives to incarceration (Models for Change, 2017a).

Reform areas (NJIN, 2014; OJJDP, 2014)

- Developing more community-based alternatives
- Developing more community-focused programs

Learning and Other Disabilities

There are between 4 and 10 percent of the incarcerated population with intellectual disabilities (ID) in the US1 (Scheyett, Vaughn, Taylor, & Parish, 2008). Research shows that more than 50 percent of juvenile offenders show evidence of an ID (Katsiyannis et al, 2008). Research has also shown that the juvenile population with ID tends to be associated with more serious offenses and is at a higher risk of second- and third-time offending (Zhang et al. 2010). Certain groups of youths have higher likelihood to be diagnosed with a disability (i.e. black, Native American, and/or Latino; Low socioeconomic status (Quinn et al. 2005), etc.

There are four general types of disabilities (OJJDP, 2017)

- Intellectual
- Developmental
- Learning
- Emotional

Links to Delinquent Behavior (OJJDP, 2017)

- Low Intellectual Functioning
- Susceptibility to Delinquent Behavior
- Differential Treatment

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